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| TEMPLATE REGULATION 9 CERTIFICATE *Native Title Act 1993* (Cth) (NTA)*Native Title (Indigenous Land Use Agreements) Regulations 2024* (Cth) (ILUA Regulations)*Native Title (Prescribed Body Corporate) Regulations 1999* (Cth) (PBC Regulations). |  |

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| REGULATION 9 CERTIFICATE |
| EXPLANATORY NOTE:If:* a registered native title body corporate (RNTBC) is party to the agreement, and
* the agreement gives effect to a ‘native title decision’ as defined in Reg 3 of the [*Native Title (Prescribed Bodies Corporate) Regulations 1999*](http://www.comlaw.gov.au/Details/F2012C00151/Html/Text#_Toc319504059) (Cth) (PBC Regulations), and
* for any part of the agreement area there is one or more Representative Aboriginal / Torres Strait Islander Bodies (RATSIBs) or Native Title Service Providers (NTSPs), and
* none of them is a party (or there is no RATSIB/ NTSP for the agreement area), then your application must be accompanied by a certificate under Reg 9 of the PBC Regulations. Reg 9(3) provides that all of the following information must be included in the certificate:
* the date of the certificate;
* details of the process of making the decision by the prescribed body corporate;
* details (including names) of the persons who participated in the process of making the decision by the prescribed body corporate; and
* details of either:
	+ - the process of approval under reg 8(8) (standing instructions decisions), or
		- the consultation and consent process with the common law holders.

The Registrar has developed the following template to assist in drafting a Reg 9 certificate. Delete all words in *[square brackets]* and insert relevant details only. |

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| **Certification by Prescribed Body Corporate under Regulation 9 of the *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) (PBC Reg)** |
| *[INSERT RNTBC name and ICN number]*  (the body corporate) certifies that: *Reg 9(3)(b) Details of the process of making the decision* *[Insert details of the ‘native title decision’ of the RNTBC, including the process of decision-making. For eg: a resolution of the RNTBC directors to make the native title decision, in accordance with the relevant PBC Rule Book provisions, etc.]* *[AND]**Reg 9(3)(c) Details (including names) of the persons who participated in the process of making the decision* *[Insert names of the persons who participated in the process of making the RNTBC decision. For eg: RNTBC directors present for the making of the native title decision, etc.]**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**[Retain only the applicable option below]**Reg 9(3)(d): Details of approval for standing instructions decisions* *[Insert details of the process of approval for the standing instruction decision/s given by the relevant common law holders to the RNTBC to enter into such agreements under PBC Reg 8(2) and 8(8).] [OR]**Reg 9(3)(e): Details of common law holder consultation and consent process**[Insert details of the consultation and consent process with the common law holders regarding the decision to enter into the Agreement in accordance with PBC Reg 8 or 8A. For eg: relevant PBC Rule Book provisions, etc] [AND]**[Insert details regarding the decision-making process by which the common law holders gave their consent to enter into the Agreement (see PBC Regs 8(3), 8(4) and 8A) For eg: notice and minutes of a common law holder meeting, traditional/agreed and adopted decision-making process, etc].* *Reg 9(3)(a) Date of the certificate:* date / month / 20XXExecuted by the body corporate in accordance with subsection 99-5(1) or (2) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth): PRINT NAME POSITION SIGNATURE PRINT NAME POSITION SIGNATURE[OR] Signed by the chief executive officer of the body corporate: PRINT NAME SIGNATURE |